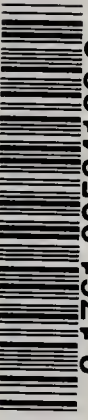


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UNIVERSITY OF TORONTO ~ FACULTY OF LAW

ADVANCED CIVIL PROCEDURE

INSTRUCTORS: JONATHAN L. ROSENSTEIN & DAVID S. STEINBERG

1ST SEMESTER – WEDNESDAYS: 6:10 P.M. – 8:00 P.M.

Course Material

Throughout the course we will be referring to various cases. Citations will be provided in the course syllabus and during lectures.

In addition, frequent reference will be made to the *Courts of Justice Act*, R.S.O., 1990, Chapter c.4, and the Ontario *Rules of Civil Procedure*, which can be found at the following websites:

http://www.e-laws.gov.on.ca/html/regs/english/elaws_regs_900194_e.htm

http://www.e-laws.gov.on.ca/html/statutes/english/elaws_statutes_90c43_e.htm

The following materials, enclosed, will also be referred to in class and are recommended for reading in advance of lectures.

1. The Honourable John W. Morden, "Overview of the Law of Civil Procedure" from the *Law of Civil Procedure in Ontario*, 1st Edition, Paul M. Perrell, John W. Morden, Lexis Nexis 2010.
2. Adrian Zuckerman, "The Overriding Objective of the Civil Procedure Rules", in *Zuckerman on Civil Procedure Principles of Practice 2nd Edition*, Thomson – Sweet & Maxwell at pages 1-49
3. Michael Code, "Counsel's Duty of Civility: An Essential Component of Fair Trials and an Effective Justice System", 11 Can. Crim. L. Rev. 97
4. Martin Teplitsky, Q.C., LSM, "Making Civil Justice Work: A New Vision", *The Advocates' Journal*, December 2008 at pages 7-15
5. The Honourable Warren K. Winkler, Chief Justice of Ontario, "Professionalism and Proportionality", *The Advocates Journal*, March 2008 at pages 6-7
6. Melvin L. Solmon, Mark L. Goodman, Nancy A. Tourgis, Deborah A. Drukarsh, "Pleadings in the New Millennium – The Importance of Working Your Theory into Your Pleadings" from *Bar Admission Course Materials (2002)*, Law Society of Upper Canada
7. Erik S. Knutsen, "The Cost of Costs: The Unfortunate Deterrence of Everyday Civil Litigation in Canada" (2010) 36 *Queens LJ*, 113-159

8. The Honourable Todd Achibald, The Honourable Gordon Killeen, Q.C., and James C. Morton, "Ontario Superior Court Practice 2012", Lexis Nexis 2012 (hereinafter, "Ontario Superior Court Practice"), Rule 1.04 Annotated
9. Ontario Superior Court Practice, Rule 2 Annotated
10. Ontario Superior Court Practice, Rule 5 Annotated
11. Ontario Superior Court Practice, Rule 14 Annotated
12. Ontario Superior Court Practice, Rule 20 Annotated
13. Ontario Superior Court Practice, Rule 21 Annotated
14. Ontario Superior Court Practice, Rule 25 Annotated
15. Ontario Superior Court Practice, Rule 26 Annotated
16. Ontario Superior Court Practice, Rule 29.1 Annotated
17. Ontario Superior Court Practice, Rule 30 Annotated
18. Ontario Superior Court Practice, Rule 30.1 Annotated
19. Ontario Superior Court Practice, Rule 31 Annotated
20. Ontario Superior Court Practice, Rule 37 Annotated
21. Ontario Superior Court Practice, Rule 38 Annotated
22. Ontario Superior Court Practice, Rule 39 Annotated
23. Ontario Superior Court Practice, Rule 40 Annotated
24. Ontario Superior Court Practice, Rule 41 Annotated
25. Ontario Superior Court Practice, Rule 42 Annotated
26. Ontario Superior Court Practice, Rule 43 Annotated
27. Ontario Superior Court Practice, Rule 44 Annotated
28. Ontario Superior Court Practice, Rule 45 Annotated
29. Ontario Superior Court Practice, Rule 47 Annotated
30. Ontario Superior Court Practice, Rule 48 Annotated
31. Ontario Superior Court Practice, Rule 49 Annotated
32. Ontario Superior Court Practice, Rule 50 Annotated
33. Ontario Superior Court Practice, Rule 51 Annotated

34. Ontario Superior Court Practice, Rule 52 Annotated
35. Ontario Superior Court Practice, Rule 53 Annotated
36. Ontario Superior Court Practice, Rule 57 Annotated
37. Ontario Superior Court Practice, Rule 59 Annotated
38. Fuerst & Sanderson, *Ontario Courtroom Procedure, Third Edition*, Chapter 2: “Who Determines Trial Procedure”
39. The Honourable Justice David M. Brown, “One Trial Judge’s Manifesto: Recall! Change! Discard!”
40. Williston and Rolls, *Court Forms, Second Edition*:
 - Statement of Claim
 - Statement of Defence
 - 3rd Party Claim
 - Application
 - Notice of Motion

